

# Senate Study Bill 1049

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED ETHICS AND  
CAMPAIGN DISCLOSURE  
BOARD BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the administration of campaign disclosure  
2 laws.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1177DP 83  
5 jr/rj/5

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1 1 Section 1. Section 68A.101, Code 2009, is amended to read  
1 2 as follows:

1 3 68A.101 CITATION AND ADMINISTRATION.

1 4 This chapter may be cited as the "Campaign

1 5 Disclosure==Income Tax Checkoff Act". The Iowa ethics and

1 6 campaign disclosure board shall administer this chapter as

1 7 provided in sections 68B.32, 68B.32A, 68B.32B, 68B.32C, and

1 8 68B.32D.

1 9 Sec. 2. Section 68A.301, subsection 1, Code 2009, is  
1 10 amended to read as follows:

1 11 1. A candidate's committee shall not accept contributions

1 12 from, or make contributions to, any other candidate's

1 13 committee including candidate's committees from other states

1 14 or for federal office, unless the candidate for whom each

1 15 committee is established is the same person. For purposes of

1 16 this section, "contributions" includes monetary and in-kind

1 17 contributions but does not include travel costs incurred by a

1 18 candidate in attending a campaign event of another candidate

1 19 and does not include the sharing of information in any format.

1 20 Sec. 3. Section 68A.303, subsection 6, Code 2009, is

1 21 amended to read as follows:

1 22 6. ~~An individual or a political committee~~ A person shall

1 23 not knowingly make transfers or contributions to a candidate

1 24 or candidate's committee for the purpose of transferring the

1 25 funds to another candidate or candidate's committee to avoid

1 26 the disclosure of the source of the funds pursuant to this

1 27 chapter. A candidate or candidate's committee shall not

1 28 knowingly accept transfers or contributions from ~~an individual~~

1 29 ~~or political committee~~ any person for the purpose of

1 30 transferring funds to another candidate or candidate's

1 31 committee as prohibited by this subsection. A candidate or

1 32 candidate's committee shall not accept transfers or

1 33 contributions which have been transferred to another candidate

1 34 or candidate's committee as prohibited by this subsection.

1 35 The board shall notify candidates of the prohibition of such

2 1 transfers and contributions under this subsection.

2 2 Sec. 4. Section 68A.402, subsection 1, Code 2009, is

2 3 amended to read as follows:

2 4 1. FILING METHODS. Each committee shall file with the

2 5 board reports disclosing information required under this

2 6 section on forms prescribed by rule. ~~Reports~~ Except as set

2 7 out in section 68A.401, reports shall be filed on or before

2 8 the required due dates by using any of the following methods:

2 9 mail bearing a United States postal service postmark,

2 10 hand-delivery, facsimile transmission, electronic mail

2 11 attachment, or electronic filing as prescribed by rule. Any

2 12 report that is required to be filed five days or less prior to

2 13 an election must be physically received by the board to be

2 14 considered timely filed. For purposes of this section,

2 15 "physically received" means the report is either

2 16 electronically filed using the board's electronic filing

2 17 system or is received by the board prior to 4:30 p.m. on the

2 18 report due date.

2 19 Sec. 5. Section 68A.402A, subsection 1, paragraph g, Code  
2 20 2009, is amended to read as follows:  
2 21 g. Disbursements made to a consultant or subvendor and  
2 22 disbursements made by the consultant or subvendor during the  
2 23 reporting period disclosing the name and address of the  
2 24 recipient, amount, purpose, and date. "Subvendor" means a  
2 25 person working under the control, direction, or on behalf of a  
2 26 consultant.

2 27 Sec. 6. Section 68A.404, subsection 2, paragraph b, Code  
2 28 2009, is amended to read as follows:  
2 29 b. This section does not apply to a candidate, candidate's  
2 30 committee, state statutory political committee, county  
2 31 statutory political committee, or a political committee. This  
2 32 section does not apply to a federal committee or an  
2 33 out-of-state committee that makes an independent expenditure.

2 34 Sec. 7. Section 68A.503, subsection 4, paragraph c, Code  
2 35 2009, is amended to read as follows:  
3 1 c. The placement of campaign signs as permitted under  
3 2 section 68A.406.

3 3 EXPLANATION

3 4 This bill specifies that the campaign finance disclosure  
3 5 laws are administered by the Iowa ethics and campaign  
3 6 disclosure board citing authority currently set out in Code  
3 7 sections 68B.32, 68B.32A, 68B.32B, 68B.32C, and 68B.32D.

3 8 The bill provides that the term "contribution" includes  
3 9 both monetary and in-kind contributions with respect to  
3 10 restrictions on receipt of contributions by a candidate's  
3 11 committee from another candidate's committee.

3 12 The bill also provides that disbursements to a subvendor  
3 13 must be reported; current law provides for reporting  
3 14 disbursements to consultants.

3 15 The bill substitutes the term "person" for the phrase  
3 16 "individual or political committee" in relation to certain  
3 17 disclosures of campaign contributions.

3 18 The bill excludes from reporting requirements an  
3 19 independent expenditure made by a federal committee or an  
3 20 out-of-state committee.

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